

EXHIBIT C

Oasis v. AT&T Corp. et al.

DEFENDANTS' PROPOSED CONSTRUCTIONS, INTRINSIC EVIDENCE¹ AND EXTRINSIC EVIDENCE

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
1	"auxiliary storage" ('228 patent, claims 1, 5, 15)	storage using a virtual disk, allowing a computer to increase the amount of storage it has by storing files on the virtual disk rather than the computer itself	<p><u>Intrinsic Evidence</u></p> <p>'354 patent at Abstract; Figs. 1, 3; 13:22-43; 14:45-61; 15:16-24; 16:9-18; 18:2-29; claims 1 and 25</p> <p>'228 patent, claim 3</p> <p>'051 patent, Abstract</p> <p>'354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1</p> <p>'354 patent file history, Oct. 1996 Amendment at 2-6, 23-24</p> <p>'228 patent file history, June 1998 Amendment at 1-34</p> <p>'228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document</p> <p>'943 patent file history, Aug. 2000 Preliminary Amendment at 33</p> <p><u>Extrinsic Evidence</u></p> <p>Academic Press Dictionary of Science and Technology (1992): auxiliary storage</p>

¹ In this case, Oasis is asserting four U.S. patents: U.S. Patent No. 5,771,354; U.S. Patent No. 5,901,228; U.S. Patent No. 6,411,943; and U.S. Patent No. 7,080,051. The patents have nearly the same specification and have the same figures. Citations herein that reference the '354 Patent specification, include the same statements or figures in the specifications of the '228, '943 and '051 Patents.

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			Microsoft Press Computer Dictionary (1991): auxiliary storage Computer Dictionary (1992): auxiliary storage
2	“backup services” / “backup” / “backing up” (’354 patent, claims 1, 3; ’228 patent, claim 3; ’943 patent, claims 4 and 6; ’051 patent, claim 9)	back up (verb) / backup services: automated, periodic transfer of data to maintain an up-to-date copy of data for recovery purposes backup (noun): an up-to-date copy of data for recovery purposes obtained by automated, periodic transfer of data Carbonite’s proposal: no construction necessary	<u>Intrinsic Evidence</u> ’354 patent at Figs. 1-5, 8A-8B, 16A-16C, 22C, 22H, 25B ’354 patent at 1:7-7:62, 7:62-8:52, 9:58-65; 10:47-12:36, 13:8-14:13, 14:14-61, 15:16-24, 15:47-56, 15:57-16:33, 17:34-57, 18:14-21:27, 22:51-23:43, 24:51-25:3, 25:23-26, 29:55-63, 30:66-31:6, 33:1-12, 48:12-16, 50:15-19 ’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1 ’354 patent file history, Oct. 1996 Amendment at 1, 2-24, 26-27 ’354 patent file history, Aug. 1997 Amendment at 9-10 ’228 patent file history, June 1998 Amendment at 32-33, 34 ’228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document ’943 patent file history, Aug. 2001 Amendment at 12, 26-30 ’943 patent file history, Oct. 31, 2001 Notice of Allowability ’051 patent file history, March 2002 Preliminary Amendment at 13, 14, 37 <u>Extrinsic Evidence</u>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			Academic Press Dictionary of Science and Technology (1992): back up <i>Computer Technology</i> . backup <i>Computer Technology</i> .
3	<p>“establishing a first online Internet session” (’354 patent, claim 1)</p> <p>“establishing a second online Internet session” (’354 patent, claim 1)</p>	<p>establishing a first online Internet session: initiating a connection resulting in a first live, interactive communication session using a worldwide network of computers connected together</p> <p>establishing a second online Internet session: initiating a connection resulting in a second live, interactive communication session using a worldwide network of computers connected together</p>	<p><u>Intrinsic Evidence</u></p> <p>’354 patent at 1:24-25; 7:56-8:4; 3:13-18, 59-61; 8:66-9:23; 14:17-24; 17:13-25; 25:40-56; 27:55-63; 49:45-56; 57:9-56</p> <p>’354 patent, claim 8; ’228 patent, claims 17, 97 and 138; ’943 patent, claim 7</p> <p>’354 patent file history, original application at Fig. 6A (“Workstation Session with Virtual Services”), Fig. 6B (“Signal Customer Processing”), Fig. 16A (Online Service Control Data”), Fig. 16C (“Redirected Drive Control Table”), Fig. 22B (“Customer Control Data”), Fig. 22C (“Host Request File”)</p> <p>’354 patent file history, Aug. 1997 Amendment at; at 4-6</p> <p>’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document (pp. 1-7)</p> <p>’354 patent file history, June 1996 Office Action at 2</p> <p>’354 patent file history, Aug. 1997 Amendment at 7</p> <p>’228 patent file history, June 1998 Amendment at 34</p> <p>’228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			'354 patent file history, Oct. 1996 Amendment at 28-30
4 - 7	<p>“establishing an Internet connection” ('228 patent, claim 3)</p> <p>“establishing an Internet connection” ('228 patent, claim 21)</p> <p>“establishing an Internet link” ('943 patent, claim 1)</p> <p>“establishing a telecommunications connection” ('228 patent, claim 1)</p> <p>“establishing a communications link . . . using the Internet” ('051 patent, claim 9)</p>	<p>establishing an Internet connection: initiating a connection resulting in a live, interactive communication connection using a worldwide network of computers connected together</p> <p>establishing an Internet link: initiating a connection resulting in a live, interactive communication link using a worldwide network of computers connected together</p> <p>establishing a telecommunications connection: initiating a connection resulting in a live, interactive communication connection using a network of computers connected together</p> <p>establishing a communications link . . . using the Internet: initiating a connection resulting in a live, interactive communications link using a worldwide</p>	<p><u>Intrinsic Evidence</u></p> <p>'354 patent at 1:24-25; 7:56-8:4 ; 3:13-18; 3:59-61; 8:66-9:23; 14:17-24; 25:40-56; 17:13-25; 49:45-56; 57:9-56</p> <p>'354 patent, claim 8; '228 patent, claims 17, 97 and 138; '943 patent, claim 7</p> <p>'354 patent file history, original application at Fig. 6A (“Workstation Session with Virtual Services”), Fig. 6B (“Signal Customer Processing”), Fig. 16A (Online Service Control Data”), Fig. 16C (“Redirected Drive Control Table”), Fig. 22B (“Customer Control Data”), Fig. 22C (“Host Request File”)</p> <p>'354 patent file history, Aug. 1997 Amendment at; at 4-6</p> <p>'354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document (pp. 1-7)</p> <p>'354 patent file history, June 1996 Office Action at 2</p> <p>'354 patent file history, Aug. 1997 Amendment at 7</p> <p>'228 patent file history, June 1998 Amendment at 34</p> <p>'228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document.</p> <p>'354 patent file history, Oct. 1996 Amendment at 28-30</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
		network of computers connected together	
8	“provider of online backup, online storage, online processing” (’051 patent, claim 9)	provider of all three of the separate services of online backup, online storage and online processing	<p><u>Intrinsic Evidence</u></p> <p>’354 patent at Figs. 1-5, 6C-6E, 8A-8B, 16A-16C, 22C, 22H, 25B</p> <p>’354 patent at 1:7-7:62, 7:62-8:52, 9:24-37, 9:58-65; 10:22-25, 10:34-39, 10:47-12:36, 12:59-14:13, 14:14-61, 15:16-24, 15:47-56, 15:57-16:33, 17:34-57, 17:58-67, 18:14-21:27, 22:51-23:43, 24:51-25:3, 25:23-26, 25:27-26:34, 28:62-64, 29:55-63, 30:66-31:6, 31:39-44, 33:1-12, 48:12-16, 49:45-56, 50:15-19, 50:31-34, 51:64-67, 53:11-14</p> <p>’354 patent file history, “IBM Application System/400: PC Support: DOS and OS/2 Messages and Problems Analysis Guide,” at G-6</p> <p>’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1</p> <p>’354 patent file history, Oct. 1996 Amendment at 1, 2-24, 26-27</p> <p>’354 patent file history, Aug. 1997 Amendment at 9-10</p> <p>’228 patent file history, June 1998 Amendment at 32-33, 34</p> <p>’228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document</p> <p>’943 patent file history, Aug. 2001 Amendment at 12, 26-30</p> <p>’943 patent file history, Oct. 31, 2001 Notice of Allowability</p> <p>’051 patent file history, March 2002 Preliminary Amendment at</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			<p>13, 14, 37</p> <p><u>Extrinsic Evidence</u></p> <p>Academic Press Dictionary of Science and Technology (1992):</p> <p>back up <i>Computer Technology</i>.</p> <p>backup <i>Computer Technology</i>.</p> <p>Microsoft Press Computer Dictionary (1991): processing</p>
9	"online storage"	services that increase the amount of storage on the customer's computer by storing files remotely rather than on the customer's computer	<p><u>Intrinsic Evidence</u></p> <p>'354 patent at Abstract; Figs. 1, 3; 13:22-43; 14:45-61; 15:16-24; 16:9-18; 18:2-29; claims 1 and 25</p> <p>'228 patent, claim 3</p> <p>'051 patent, Abstract</p> <p>'354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1</p> <p>'354 patent file history, Oct. 1996 Amendment at 2-6, 23-24</p> <p>'228 patent file history, June 1998 Amendment at 1-34</p> <p>'228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document</p> <p>'943 patent file history, Aug. 2000 Preliminary Amendment at 33</p> <p><u>Extrinsic Evidence</u></p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			<p>Academic Press Dictionary of Science and Technology (1992): auxiliary storage</p> <p>Microsoft Press Computer Dictionary (1991): auxiliary storage</p> <p>Computer Dictionary (1992): auxiliary storage</p>
10	“online processing”	services that remotely manipulate customer data files	<p><u>Intrinsic Evidence</u></p> <p>’354 patent at Figs. 1-5, 6C-6E, 8A-8B, 16A-16C, 22C, 22H, 25B</p> <p>’354 patent at 1:7-7:62, 7:62-8:52, 9:24-37, 9:58-65; 10:22-25, 10:34-39, 10:47-12:36, 12:59-14:13, 14:14-61, 15:16-24, 15:47-56, 15:57-16:33, 17:34-57, 17:58-67, 18:14-21:27, 22:51-23:43, 24:51-25:3, 25:23-26, 25:27-26:34, 28:62-64, 29:55-63, 30:66-31:6, 31:39-44, 33:1-12, 48:12-16, 49:45-56, 50:15-19, 50:31-34, 51:64-67, 53:11-14</p> <p>’354 patent file history, “IBM Application System/400: PC Support: DOS and OS/2 Messages and Problems Analysis Guide,” at G-6</p> <p>’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1</p> <p>’354 patent file history, Oct. 1996 Amendment at 1, 2-24, 26-27</p> <p>’354 patent file history, Aug. 1997 Amendment at 9-10</p> <p>’228 patent file history, June 1998 Amendment at 32-33, 34</p> <p>’228 patent file history, Rule 131 Declaration signed June 10,</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			<p>1998, ¶¶ 3-4 and attached document</p> <p>'943 patent file history, Aug. 2001 Amendment at 12, 26-30</p> <p>'943 patent file history, Oct. 31, 2001 Notice of Allowability</p> <p>'051 patent file history, March 2002 Preliminary Amendment at 13, 14, 37</p> <p><u>Extrinsic Evidence</u></p> <p>Microsoft Press Computer Dictionary (1991): processing</p>
11	<p>“providing an offsite backup, restore and/or archiving data storage service” ('943 patent, claim 1)</p> <p>“backing up, archiving and/or restoring data” ('943 patent, claim 1)</p> <p>“offsite data storage service accessible . . . for backup, restore and/or archiving” ('943 patent, claim 1)</p> <p>“backup, restore and/or archival purposes” ('943 patent, claim 1)</p> <p>“backup, restore, and/or archive” ('051 patent, claim 9)</p>	<p>service for performing all three of the separate options of backup, restore, and archive</p> <p>archive: copy inactive files for long-term retention, rather than for backup</p>	<p><u>Intrinsic Evidence</u></p> <p>'354 patent at Figs. 1-5, 8A-8B, 16A-16C, 22C, 22H, 25B</p> <p>'354 patent at 1:7-7:62, 7:62-8:52, 9:58-65; 10:47-12:36, 13:8-14:13, 14:14-61, 15:16-24, 15:47-56, 15:57-16:33, 17:34-57, 18:14-21:27, 22:51-23:43, 24:51-25:3, 25:23-26, 29:55-63, 30:66-31:6, 33:1-12, 48:11-16, 50:15-19</p> <p>'354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1</p> <p>'354 patent file history, Oct. 1996 Amendment at 1, 2-24, 26-27</p> <p>'354 patent file history, August 1997 Amendment, at 9-10; Weber, U.S. Patent No. 5,367,698 at 2:3-9; 2:46-48; 2:58-62; 5:56-62; 15:23-28</p> <p>'354 patent file history, Arneson, David A., <u>Mass Storage Archiving in Network Environments</u> (1988), at 46</p> <p>'354 patent file history, Ford, Ric & Lepage, Rick, <u>Juggling</u></p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			<p><u>Features and Options in Retrospect. (Dantz Development Corp.'s Retrospect Backup and Archival Service.)</u>, MacWeek (Mar. 12, 1991)</p> <p>'228 patent file history, June 1998 Amendment at 32-33, 34</p> <p>'228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-4 and attached document</p> <p>'943 patent file history, Aug. 24, 2000 Preliminary Amendment at 13.</p> <p>'943 patent file history, Aug. 2001 Amendment at 1, 12, 26-30</p> <p>'943 patent file history, Notice of Allowability (10/31/01)</p> <p>'051 patent file history, March 2002 Preliminary Amendment at 13, 14, 37</p> <p><u>Extrinsic Evidence</u></p> <p>Academic Press Dictionary of Science and Technology (1992):</p> <p>back up <i>Computer Technology</i>.</p> <p>backup <i>Computer Technology</i></p> <p>Computer Dictionary (1992): archival; archive</p>
12	<p>“online service provider” ('228 patent, claim 1; '943 patent, claim 1; '051 patent, claim 9);</p> <p>“online services” ('051 patent,</p>	<p>provider that provides a broad range of information to online computer users; not merely a provider of backup or storage</p>	<p><u>Intrinsic Evidence</u></p> <p>'354 patent, col. 2, lines 5-22</p> <p>'354 patent file history, Feb. 1996 Amendment at 1-25</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
	claim 9)	services AT&T's proposal: no construction necessary	'354 patent file history, Oct. 1996 Amendment at 30 '228 patent, claims 1 and 53; '354 patent, claim 1 '943 patent file history, The Norton pcAnywhere for Windows (1993), at G-9 '651 patent file history, June 1999 Amendment at 65-66 <u>Extrinsic Evidence</u> Crawford Deposition, 11/22/2004, pp. 149-51 Dictionary of Computer Words (Houghton Mifflin Co.) (1993): "on-line service".
13	"substantially as if the remote storage area was a backup storage device physically and/or locally attached to the customer's computer" ('354 patent, claim 1) "substantially as if the virtual backup storage device was a physical backup storage device locally attached to the customer's computer" ('228 patent, claim 3)	such that the remote storage area looks and acts like a backup storage device physically and/or locally attached to the customer's computer with the same basic attributes, including the ability to open, read from, and write to all files located in the remote storage area and being recognized by the customer's computer as a physically or locally attached device	<u>Intrinsic Evidence</u> '354 patent at 5:28-60, 7:56-8:4, 8:8-11, 9:41-44, 10:18-21, 4:45-61, 15:16-24, 17:26-33, 18:2-29, 18:43-66, 19:16-21, 19:28-58, 24:11-13, 26:56-64, 31:7-24, 31:33-38, 31:66-32:30, 37:67-38:3, 38:8-11, 38:35-39, 40:13-16, 43:24-29, 53:54-61. '354 patent file history, original application at Fig. 6A, Fig. 6B, Fig. 16A, Fig. 16C, Fig. 22B, Fig. 22C '354 patent file history, Feb. 1994 Information Disclosure Statement at 1 '354 patent file history, Sept. 1995 Response at 1 '354 patent file history, Oct. 1995 Office Action at 4-9 U.S. Patent No. 4,994,963 to Rorden et al. at 6:5-39

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			<p>Microsoft MS-DOS 6 User's Guide (1993) at 161-166 (OASAD0000685-693)</p> <p>'354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1-7</p> <p>'354 patent file history, Feb. 1996 Amendment at 1-25, 27 and attached documents at 1-27</p> <p>'354 patent file history, Oct. 1996 Amendment at 1-6, 23-27</p> <p>'354 patent file history, Aug. 1997 Amendment at 4-5</p> <p>'228 patent file history, June 1998 Amendment at 34</p> <p>'228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-5 and attached document at 1-26.</p> <p>'354 patent file history, Feb. 1994 Information Disclosure Statement at 1, Prior Art & Related Information at 1-3, and cited IBM Corporation Application System/400 documentation, including OASAD0000694-1174, 730-731, 743-757, 856</p>
14	<p>"making available, to the customer's computer via the telecommunications connection, at least some of the storage provided by the online service provider" ('228 patent, claim 1)</p> <p>"making available, to the customer's computing device via the Internet link, at least some data stored in the online service provider's storage" ('943 patent,</p>	<p>providing remote storage that the customer's computer recognizes as a locally attached device with the same basic access abilities as if the storage was local, including the ability to open, read from, and write to all files located in the remote storage area</p>	<p><u>Intrinsic Evidence</u></p> <p>'354 patent at 5:28-60, 7:56-8:4, 8:8-11, 9:41-44, 10:18-21, 4:45-61, 15:16-24, 17:26-33, 18:2-29, 18:43-66, 19:16-21, 19:28-58, 24:11-13, 26:56-64, 31:7-24, 31:33-38, 31:66-32:30, 37:67-38:3, 38:8-11, 38:35-39, 40:13-16, 43:24-29, 53:54-61.</p> <p>'354 patent file history, original application at Fig. 6A, Fig. 6B, Fig. 16A, Fig. 16C, Fig. 22B, Fig. 22C</p> <p>'354 patent file history, Feb. 1994 Information Disclosure</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
	claim 1) “making available to the customer some of the data stored within the online service provider’s storage over the Internet” (’051 patent, claim 9)		Statement at 1 ’354 patent file history, Sept. 1995 Response at 1 ’354 patent file history, Oct. 1995 Office Action at 4-9 U.S. Patent No. 4,994,963 to Rorden et al. at 6:5-39 Microsoft MS-DOS 6 User’s Guide (1993) at 161-166 (OASAD0000685-693) ’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1-7 ’354 patent file history, Feb. 1996 Amendment at 1-25, 27 and attached documents at 1-27 ’354 patent file history, Oct. 1996 Amendment at 1-6, 23-27 ’354 patent file history, Aug. 1997 Amendment at 4-5 ’228 patent file history, June 1998 Amendment at 34 ’228 patent file history, Rule 131 Declaration signed June 10, 1998, ¶¶ 3-5 and attached document at 1-26. ’354 patent file history, Feb. 1994 Information Disclosure Statement at 1, Prior Art & Related Information at 1-3, and cited IBM Corporation Application System/400 documentation, including OASAD0000694-1174, 730-731, 743-757, 856
15	“virtual disk” (’228 patent, claim 2) “virtual backup storage resource ”	a disk/resource/device that looks and acts like a locally attached, physical disk drive to a computer with the same	<u>Intrinsic Evidence</u> ’354 patent at 5:28-60, 7:56-8:4, 8:8-11, 9:41-44, 10:18-21, 4:45-61, 15:16-24, 17:26-33, 18:2-29, 18:35-58, 18:43-66, 19:16-21,

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
	(’228 patent, claim 3) “virtual backup storage device” (’228 patent, claim 3)	basic attributes, including opening, reading from, and writing to those files as if they were locally attached, and that the computer recognizes as a physically or locally attached device	19:28-58, 24:11-13, 26:56-64, 29:55-63, 31:7-24, 31:33-38, 31:66-32:30, 37:67-38:3, 38:8-11, 38:35-39, 40:13-16, 43:24-29, 53:54-61. ’354 patent file history, original application at Fig. 6A, Fig. 6B, Fig. 16A, Fig. 16C, Fig. 22B, Fig. 22C ’354 patent file history, Feb. 1994 Information Disclosure Statement at 1 ’354 patent file history, Sept. 1995 Response at 1 ’354 patent file history, Oct. 1995 Office Action at 4-9 U.S. Patent No. 4,994,963 to Rorden et al. at 6:5-39 Microsoft MS-DOS 6 User’s Guide (1993) at 161-166 (OASAD0000685-693) ’354 patent file history, Rule 131 Declaration signed Feb. 15, 1996, ¶¶ 3-4 and attached document at 1-7 ’354 patent file history, Feb. 1996 Amendment at 21 ’354 patent file history, Feb. 1996 Amendment at 1-25, 27 and attached documents at 1-27 ’354 patent file history, Oct. 1996 Amendment at 1-6, 23-27 ’354 patent file history, Aug. 1997 Amendment at 4-5 ’228 patent file history, June 1998 Amendment at 34 ’228 patent file history, Rule 131 Declaration signed June 10,

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
			1998, ¶¶ 3-5 and attached document at 1-26. '354 patent file history, Feb. 1994 Information Disclosure Statement at 1, Prior Art & Related Information at 1-3, and cited IBM Corporation Application System/400 documentation, including OASAD0000694-1174, 730-731, 743-757, 856
16	“integrating the second Internet connection for access by the customer computer’s file system” (’354 patent, claim 2)	Indefinite. In the alternative: having a replica computer of the same type as a customer computer load device drivers and run communications software to establish a host session for providing customer access to the host computer drives	<u>Intrinsic Evidence</u> '354 patent at 17:34-57, 17:1-9
17	“establishing a customer relationship” (’228 patent, claim 1, ’943 patent, claim 1) “establishing a customer/provider relationship” (’051 patent, claim 9)	Indefinite. In the alternative: the customer dialing a special charge telephone number to access the sign up computer system of the provider, resulting in the provider assigning and sending a user ID and password to the	<u>Intrinsic Evidence</u> '354 patent at 28:22-32; 56:62 – 57:46; Fig. 27

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
		customer's computer	
18	"establishing a customer identifier and associated password for the customer" ('354 patent, claim 1)	the provider creating and assigning a user ID and password to the customer during the initial login	<u>Intrinsic Evidence</u> Title of the '354 Patent '354 patent at 28:22-36; 57:30-55 Fig. 27 of '354 patent '354 patent file history, Oct. 1996 Supplemental Amendment at 2 (claim amendments), 3 '354 patent file history, Aug. 1997 Amendment at 8 n.2 '354 patent file history, Nov. 1997 Notice of Allowability
19 - 20	"validating the customer identifier and password" ('354 patent, claim 1) "validating the customer's authority" ('228 patent, claim 1; '943 patent, claim 1) validating that the customer is permitted to access" ('051 patent, claim 9)	comparing a customer identifier and password input by the customer with the customer identifier and password stored on the host	<u>Intrinsic Evidence</u> '354 patent at 27:64-28:3; 38:18-20; 48:52-54; 50:41-44 '354/'228/'943/'051 patents at Figs. 13, 16A, 21A, 23, 26 '354 patent file history, Feb. 1996 Amendment at 23 '228 patent file history, June 22, 1998 Amendment at 2 '051 patent file history, March, 2002 Amendment at 12-13
21 - 23	"conditionally restricting at least a part of the customer's access" ('228 patent, claim 1)	'228 patent, claim 1: limiting the access of an already authorized customer within	<u>Intrinsic Evidence</u> '228 patent, col. 45, lines 12-25/'943 patent, col. 45, lines 15-

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
	<p>“conditionally authorizing and/or restricting access (’943 patent, claim 1)</p> <p>“conditionally permitting or denying the customer” (’051 patent, claim 9)</p>	<p>the storage already made available in step (d)</p> <p>’943 patent, claim 1: limiting the access of an already authorized customer within the data already made available in step (d)</p> <p>’051 patent, claim 9: limiting the access of an already authorized customer within the data already made available in step (4)</p>	30/’051 patent, col. 47, lines 19-33
24	<p>“generating billing information” (’228 patent, claim 1)</p> <p>“generating billing information” (’943 patent, claim 1)</p> <p>“billing the customer ” (’051 patent, claim 9)</p>	<p>“generating billing information” / “billing”: generating a bill that is sent to the customer to pay an amount owed for past use</p>	<p><u>Intrinsic Evidence</u></p> <p>’354 patent at 28:2-3, 53-56; 29:55-60, 63-65; 30:15-22; 30:66-31:6; 43:4-6; 45:29-31; 48:40-48; 50:35-37, 41-44, 59-62; 51:19-24, 35-38, 48-50, 56-52:5; 52:41-46; 54:61-63; 57:57-60:9</p> <p>’354/’228/’943/’051 patents at Figs. 8B, 19B, 21A- 21F and 22F</p> <p>’354 patent file history, 2/20/96 Amendment, at 22</p> <p><u>Extrinsic Evidence</u></p> <p>Webster’s Third New International Dictionary (2002): bill</p>
25	<p>“requesting payment” (’228 patent, claim 3)</p>	<p>sending a bill to a customer to pay an amount owed for past</p>	<p><u>Intrinsic Evidence</u></p> <p>’354 patent at 28:2-3, 53-56; 29:55-60, 63-65; 30:15-22; 30:66-</p>

	Claim Phrase	Proposed Construction	Intrinsic and Extrinsic Evidence
		use	31:6; 43:4-6; 45:29-31; 48:40-48; 50:35-37, 41-44, 59-62; 51:19-24, 35-38, 48-50, 56-52:5; 52:41-46; 54:61-63; 57:57-60:9 '354/'228/'943/'051 patents at Figs. 8B, 19B, 21A- 21F and 22F '354 patent file history, 2/20/96 Amendment, at 22
26	“tracking ” ('228 patent, claim 1) “logging ” ('943 patent, claim 1) “logging ” ('051, claim 9)	keeping a record for billing purposes	<u>Intrinsic Evidence</u> '354 patent at 9:54-57 / '943 patent at 10:5-8 / '051 patent at 10:14-17 '354 patent at 28:52-56 / '943 patent at 28:65-29:2 / '051 patent at 29:15-21 '354 patent at 29:55-57 / '943 patent at 30:1-3 / '051 patent at 30:20-22 '354 patent at 30:67-31:1 / '943 patent at 31:13-14 / '051 patent at 31:33-34 '354 patent at 58:24-32 / '943 patent at 58:11-19 / '051 patent at 69:21-29 '354 patent at 58:1-5 / '943 patent at 57:55-59 / '051 patent at 68:65-69:2 '354 Patent at 30:16-22 '354 patent file history, 2/20/96 Amendment, 22